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12
13 UNITED STATES DISTRICT COURT
14 DISTRICT OF NEVADA

15 Mario Alejandro Lopez,

16 Petitioner,

17 v.

18 Brian E. Williams, *et al.*,

19 Respondents.

20 Case No. 2:19-cv-01308-APG-NJK

21 **Unopposed Motion to Extend Time
22 to file Opposition to Motion to
23 Dismiss**

24 **(First Request)**

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POINTS AND AUTHORITIES

Petitioner Mario Alejandro Lopez respectfully asks this Court to enter an Order extending his deadline for filing an Opposition to the warden's motion to dismiss by 45 days to October 1, 2020.

This is Lopez's first request for an extension of this deadline. Deputy Attorney General Katrina A. Samuels does not object to this request.

Lopez filed a counseled first amended on February 10, 2020, a month before AEDPA expired.¹ Undersigned counsel replaced prior counsel on February 25, 2020, and filed a second amended petition and accompanying motion for leave to file it on March 10, 2020, the day AEDPA expired.² This Court granted the request.³

The warden timely filed a motion to dismiss on July 27, 2020, and sought additional time to file the state court record, which this Court granted.⁴ The warden filed the record on August 3, 2020.⁵ Lopez's Opposition is due two weeks later, by August 17, 2020.⁶

Undersigned counsel has been diligently working on Lopez's Opposition. However, despite her best efforts, she is unable to meet the two-week deadline. This is primarily because of work on other cases. Counsel was the supervising attorney on an AEDPA petition filed in *Dunn v. Baca*, 3:19-cv-00702-MMD-WGC, and a reply filed in *Chavez-Juarez v. Nevada*, 3:17-cv-00192-MMD-WGC, and lead counsel on the Nevada Supreme Court filed in *Nicholsosn v. Baca*, No. 80778, all filed on

¹ ECF No. 11.

² ECF Nos. 13, 14, 14-1.

3 ECF No. 16.

⁴ ECF Nos. 19, 20, 21.

⁵ ECF Nos 23–34.

⁶ ECF No. 22.

1 August 10, 2020. Counsel spent the remainder of last week primarily working on
2 Lopez's Opposition was unable to complete it.

3 The requested 45-day extension takes into consideration counsel's upcoming
4 deadlines, management responsibilities, and the technical challenges that
5 accompany working remotely. Baring an extraordinary, unforeseen circumstance,
6 counsel intends to meet this deadline. Accordingly, Lopez respectfully asks this
7 Court to grant this motion and order his Opposition due in 45 days, or by October 1,
8 2020.

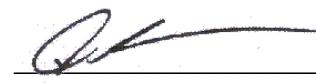
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10 Dated August 17, 2020.

11 Respectfully submitted,

12 Rene L. Valladares
13 Federal Public Defender

14 /s/Amelia L. Bizzaro
15 Amelia L. Bizzaro
16 Assistant Federal Public Defender

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18 DATED: August 18, 2020
19 IT IS SO ORDERED:

20 
21 United States District Judge